

Notice of Allowability

Application No.

10/728,257

Examiner

Jeffrey Sharp

Applicant(s)

UNVERZAGT ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/26/2005.
2. ☒ The allowed claim(s) is/are 2,5 and 10-13.
3. ☒ The drawings filed on 04 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alexander Zinchuk on 4/12/2005.

The application has been amended as follows:

Claim 10 lines 7-10 has been replaced with:

...

receiving the holding member (4; 49), and the holding member (4; 49) having two, resiliently movable relative to each other, **[holdings] holding** sections (5.1, 5.2; 50.1, 50.2) each having **[an even wall section] a conical section of substantially uniform thickness** (10.1, 10.2) abutting a wall of the inner cone (9, 48), along **[a substantially entire] at least a portion of an** axial extent of the inner cone (9,48),

...

Claim 10 lines 16-17 has been replaced with:

...

offset extending radially inwardly of the **[even wall] conical** section (10.1, 10.2).

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...

Claim 11 lines 8-10 has been replaced with:

....

movable relative to each other, [holdings] holding sections (5.1, 5.2; 50.1, 50.2) each having [an even wall section] a conical section of substantially uniform thickness (10.1, 10.2) abutting a wall of the inner cone (9, 48) along [a substantially entire] at least a portion of an axial extent of the inner cone (9,48),

...

Claim 12 lines 8-10 has been replaced with:

...

movable relative to each other, [holdings] holding sections (5.1, 5.2; 50.1, 50.2) each having [an even wall section] a conical section of substantially uniform thickness (10.1, 10.2) abutting a wall of the inner cone (9, 48) along [a substantially entire] at least a portion of an axial extent of the inner cone (9,48),

...

Claim 13 lines 9-10 has been replaced with:

...

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having [an even wall section] a conical section of substantially uniform thickness (10.1, 10.2) abutting a wall of the inner cone (9, 48) along [a substantially entire] at least a portion of an axial extent of the inner cone (9,48),
...

The following is an examiner's statement of reasons for allowance:

The prior art of record (mainly Hoffmann et al. US 2002/0098057A1 and Blessing US-6,305,889) fail to fairly suggest, either alone or in combination, each of two resilient holding sections of a springy holding member being conical in nature, and having a substantially uniform cross-sectional profile (i.e., '*thickness*'). Both the Hoffman et al. '057 and Blessing '889 references show springy holding members having a substantially round cross-sectional profile, which do not comprise conical holding sections of substantially uniform thickness. The improvement at hand, is a novel '*cup shaped*' conical design that more securely rests and aligns the springy holding member within an inner cone of a nut housing (said cone being the central through-opening of the nut housing).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

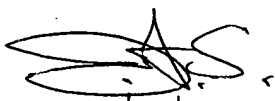
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Sharp whose telephone number is (571) 272-7074. The examiner can normally be reached on 5:30 am - 4:00 pm Mon-Thurs.

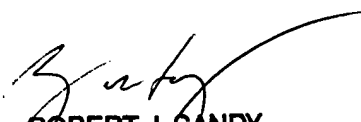
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAS



4/12/05



ROBERT J. SANDY
PRIMARY EXAMINER